

112TH CONGRESS
1ST SESSION

H. R. 1383

IN THE SENATE OF THE UNITED STATES

MAY 24, 2011

Received; read twice and referred to the Committee on Veterans' Affairs

AN ACT

To temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Restoring GI Bill Fair-
 5 ness Act of 2011”.

6 **SEC. 2. PRESERVATION OF HIGHER RATES FOR TUITION**
 7 **AND FEES FOR PROGRAMS OF EDUCATION AT**
 8 **NON-PUBLIC INSTITUTIONS OF HIGHER**
 9 **LEARNING PURSUED BY INDIVIDUALS EN-**
 10 **ROLLED IN SUCH PROGRAMS PRIOR TO**
 11 **CHANGE IN MAXIMUM AMOUNT.**

12 (a) IN GENERAL.—Notwithstanding paragraph
 13 (1)(A)(ii) of section 3313(c) of title 38, United States
 14 Code (as amended by the Post-9/11 Veterans Educational
 15 Assistance Improvements Act of 2010 (Public Law 111–
 16 377)), the amount payable under that paragraph (or as
 17 appropriately adjusted under paragraphs (2) through (7)
 18 of that section) for tuition and fees for pursuit by an indi-
 19 vidual described in subsection (b) of an approved program
 20 of education at a non-public institution of higher learning
 21 during the period beginning on August 1, 2011, and end-
 22 ing on July 31, 2014, shall be the greater of—

23 (1) \$17,500; or

24 (2) the established charges payable for the pro-
 25 gram of education determined using the table of the

1 Department of Veterans Affairs entitled “Post-9/11
2 GI Bill 2010–2011 Tuition and Fee In-State Maxi-
3 mums”, published October 27, 2010 (75 Fed. Reg.
4 66193), as if that table applied to the pursuit of the
5 program of education by that individual during that
6 period.

7 (b) COVERED INDIVIDUALS.—An individual described
8 in this subsection is an individual entitled to educational
9 assistance under chapter 33 of title 38, United States
10 Code, who, on or before April 1, 2011, was enrolled in
11 a non-public institution of higher learning in a State in
12 which—

13 (1) the maximum amount of tuition per credit
14 in the 2010–2011 academic year, as determined pur-
15 suant to the table referred to in subsection (a)(2),
16 exceeded \$700; and

17 (2) the combined amount of tuition and fees for
18 full-time attendance in the program of education in
19 such academic year exceeded \$17,500.

20 (c) DEFINITIONS.—In this section:

21 (1) The term “approved program of education”
22 has the meaning given that term in section 3313(b)
23 of title 38, United States Code.

24 (2) The term “established charges”, with re-
25 spect to a program of education, means the actual

1 charges (as determined pursuant to regulations pre-
2 scribed by the Secretary of Veterans Affairs on the
3 basis of a full academic year) for tuition and fees
4 which similarly circumstanced nonveterans enrolled
5 in the program of education would be required to
6 pay.

7 (3) The term “institution of higher learning”
8 has the meaning given that term in section 3452(f)
9 of title 38, United States Code.

10 **SEC. 3. EXTENSION OF LOAN GUARANTY FEE FOR CERTAIN**
11 **SUBSEQUENT LOANS.**

12 (a) EXTENSION.—Section 3729(b)(2)(B)(ii) of title
13 38, United States Code, is amended—

14 (1) by striking “January 1, 2004, and before
15 October 1, 2011” and inserting “October 1, 2011,
16 and before October 1, 2012”; and

17 (2) by striking “3.30” both places it appears
18 and inserting “2.80”.

19 (b) CONFORMING AMENDMENT.—Section
20 3729(b)(2)(B)(iii) of such title is amended by striking
21 “October 1, 2011” and inserting “October 1, 2012”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 subsections (a) and (b) shall take effect on October 1,
3 2011.

Passed the House of Representatives May 23, 2011.

Attest:

KAREN L. HAAS,

Clerk.